

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference B03/0283PC	FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/EP2004/007559	International filing date (day/month/year) 09.07.2004	Priority date (day/month/year) 09.07.2003	
International Patent Classification (IPC) or national classification and IPC C08L77/00			
Applicant BASF AKTIENGESELLSCHAFT			

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of <u>1</u> sheets, as follows:</p> <p><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>																								
<p>4. This report contains indications relating to the following items:</p> <table> <tbody> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. I</td> <td>Basis of the report</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </tbody> </table>	<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/007559

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:
- international search (Rule 12.3 and 23.1(b))
 - publication of the international application (Rule 12.4)
 - international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):
- the international application as originally filed/furnished
 the description:
 pages 1-6 as originally filed/furnished
 pages* _____ received by this Authority on _____
 pages* _____ received by this Authority on _____
 the claims:
 nos. _____ as originally filed/furnished
 nos.* _____ as amended (together with any statement) under Article 19
 nos.* 1-7 received by this Authority on 04.10.2005 with telefax
 nos.* _____ received by this Authority on _____
 the drawings:
 sheets _____ as originally filed/furnished
 sheets* _____ received by this Authority on _____
 sheets* _____ received by this Authority on _____
 a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. The amendments have resulted in the cancellation of:

 - the description, pages _____
 - the claims, nos. _____
 - the drawings, sheets/figs _____
 - the sequence listing (*specify*): _____
 - any table(s) related to sequence listing (*specify*): _____

4. This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

 - the description, pages _____
 - the claims, nos. _____
 - the drawings, sheets/figs _____
 - the sequence listing (*specify*): _____
 - any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/007559

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1 - 7	YES
	Claims		NO
Inventive step (IS)	Claims	1 - 7	YES
	Claims		NO
Industrial applicability (IA)	Claims	1 - 7	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

1. This report makes reference to the following documents:

- D1: EP-A-0 616 008 (CHEMIE LINZ GMBH) 21 September 1994 (1994-09-21)
- D2: EP-A-0 927 742 (BASF AG) 7 July 1999 (1999-07-07)
- D3: GB-A-2 097 008 (INVENTA AG) 27 October 1982 (1982-10-27)
- D4: US-A-4 001 177 (TSUTSUMI TADAO ET AL) 4 January 1977 (1977-01-04)
- D5: US-A-5 256 718 (IKEJIRI FUMITOSHI ET AL) 26 October 1993 (1993-10-26)
- D6: US 2001/008913 A1 (FLIPPO PETER ET AL) 19 July 2001 (2001-07-19)
- D7: WO 02/28953 A (TUMMERS DANIEL JOSEPH MARIA ; DSM NV (NL) ; STEENBAKKERS MENTING HENRIC) 11 April 2002 (2002-04-11)
- D8: DE-19944352
- D9: EP-0469930

2. Novelty

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
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The present application relates to a housing shell for an electronic device that contains an electron beam tube or a flat screen, said housing shell being made of a flame-resistant thermoplastic material by means of an injection molding process and the material containing two polyamides with different solution viscosities (claim 1).

Furthermore, the present application relates to the use of a plastic material containing two polyamides with different solution viscosities for producing an electronic device that contains an electron beam tube or a flat screen by means of an injection molding process (claim 7).

D1 to D7 do not disclose a housing shell for an electronic device that contains an electron beam tube or a flat screen. D8 and D9 do not disclose a mixture of two polyamides with different solution viscosities.

The subject matter of claims 1 to 7 of the present application is therefore novel over D1 to D9.

3. Inventive step

D9 is considered to be the closest prior art.

D9 discloses flame-resistant polyamide for producing television cabinets by means of an injection molding process.

The subject matter of the present application differs from the subject matter of D9 in that two

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Box No. V**Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

polyamides with different solution viscosities are used.

The problem addressed by the present application was that of providing a housing shell for an electronic device that contains an electron beam tube or a flat screen.

This problem was solved by the use of two polyamides of different solution viscosity (see examples 1 and 2).

This solution is not suggested in D9 and is also not obvious from a combination of D9 with D1 to D8 because D1 to D7 do not relate to a housing shell for an electronic device that contains an electron beam tube or a flat screen and D8 does not disclose a polyamide mixture.

The subject matter of claims 1 to 7 of the present application therefore involves an inventive step in relation to D1 to D9.